595

The Pittsburgh Gazette.

lume IX. SATURDAY, March 26, 1796. Number 49

NOTICE.

LL perſons indebted to the ſub- ſcribers are requeſted to pay off r reſpective balances immediately, o further indulgence will be giv. Thoſe who neglect this may ex- their accounts will be put into the ds of proper officers for recovery.

IRWIN & BURCHFIELD.

Pittſburgh, March 17, 1796.

NOTICE.

E moſt earneſtly requeſt all who are in- debted to us to come forward and pay heir accounts, as we intend to go to Phila- bia early in April next. A neglect will be injurious to

A. & J. BARKER.

WHO HAVE FOR SALE,
A Freſh Aſſortment of
PRING GOODS.

Pittſburgh, March 18, 1796.

Sixteen Dollars Reward.

TRAYED or Stolen out of the field of Ro- bert Parks, on the waters of King's creek, the night of the 10th inſt. a Grey HORSE, oſed to be 10 years old, he is a handſome ll turned horſe, rather of a ſtrong make than ant form, trots and canters well, ſhews a d deal of the blood, newly ſhod all round, ther marked nor branded, as I know of, he mewhat ſlee-bit. The above reward will given for the Horſe and Thief if ſtolen, or ght Dollars for the Horſe only.

ANDREW MUNRO.

Cannonſburgh, March 17, 1796.

THE FAMOUS HORSE
DRAGON

WILL cover mares this ſeaſon at the ſtable of the ſubſcriber, in ttſburgh, at three dollars and one bu- el of oats for each mare; the oats to brought at the time of covering. ragon is well marked, ſix years old ſpring, about ſixteen and a half nds high, and well made in propor- on, is noted for foal getting at his mer ſtands. The ſeaſon commences e firſt of April, and ends the laſt of ne. The money to be paid the ſt of November.

WILLIAM IRWIN.

March 18 1795.

CAUTION.

WHEREAS ſundry Tracts of Land ſituate in Armſtrong townſhip, on the frontiers Weſtmoreland county, were a few years ago d by a certain James Carnahan, adminiſtra- to the eſtate of Samuel Sloan, deceaſed, No- e is hereby given that the ſaid lands are imed by Samuel Pleaſants, to whom the ſame re legally conveyed long before the deceaſe of d Sloan, as may appear by the deeds recorded the Office of Weſtmoreland county. People ill therefore be on their guard in the purchaſe any of ſaid lands.

March 11, 1796.

THAT NOTED HORSE
JACK of DIAMONDS,

WILL cover Mares this ſeaſon at M'Kee's Port, at Twenty Shillings and One buſhel of Oats for each Mare. The oats to be brought at the time of Covering. The Jack of Diamonds is a Sorrel, about fifteen hands and half high, well marked, produces excellent colts, and is a ſure foal getter. The good qua- ties of this horſe are ſo much in repute as to ſuperſede the neceſſity of expatiating upon them. It may be neceſſary, however, to remark that he is ſtrong and bony, and unites ſtrength with ſwiftneſs.

The ſeaſon commences the firſt week in April and ends the laſt of June. The money to be paid by the firſt of December next. The ſtable will be free, and due attendance given by the ſubſcriber or the groom.

ADAM JOHNSTON.

March 10, 1796.

Two Kentucky Boats,
FOR SALE,
Now lying at the Point.
SMITH & SHIRAS.

Pittſburgh, March 11, 1796.

CONGRESS.

HOUSE OF REPRESENTATIVES.

MONDAY, March 7.

A COMMUNICATION was received from the Treaſury Department on the ſubject of the exciſe. Ordered to be printed.

Mr. Livingſton ſaid he wiſhed to modify the reſolution he had laid on the table, requeſting the Preſident to lay before the Houſe ſundry documents reſpecting the Treaty. It had been ſuggeſted to him by ſome gentlemen, for whom he had a great regard, that on account of the unfiniſhed ſtate of ſome negotiations it might embarraſs the Executive to call for the whole. He wiſhed therefore at the end of his former motion the following words: "Excepting ſuch of ſaid papers any exiſting negociation may render improper to be diſcloſed."

The motion of Mr. Livingſton, calling on the Executive for information relative to the Treaty was then taken up.

Mr. Tracy requeſted gentlemen in favour of the reſolution to give their reaſons why the application for papers was to be made. The member from New York, he ſaid, when he laid the motion on the table, had intimated the conſtitutionality of the Treaty might be queſtioned, and predicated his reſolution upon that ſuppoſition. It was well underſtood he remarked, that the Treaty had excited great ſenſibility; the people had formed various opinions on the ſubject; he conceived it therefore a ſubject of great delicacy and magnitude, and was of opinion, that members ſhould explain fully their meanings and intentions with reſpect to it at an early ſtage of the buſineſs, to prevent any bitterneſs from taking place in the courſe of the inveſtigation, and to preſerve the harmony and dignity of the houſe. He aſked the motives that influenced the friends of the reſolution, becauſe, if the conſtitutionality of the inſtrument was to be queſtioned, and the papers were called for on that ground, he thought it a bad one. This queſtion he conceived ſhould be decided by comparing the inſtrument with the conſtitution, and that a reference to any thing elſe in deciding the queſtion could not be proper.

If the papers are called for to ground an impeachment againſt any officer, he wiſhed the intention declared; he wiſhed to know whether the negociator was to be impeached, or the Preſident, who had certainly had a principal agency in the buſineſs. He wiſhed to be poſſeſſed of the reaſons which urged to the motion, that he might be enabled to determine on its propriety.—This was a delicate ſubject he ſaid: the calling for papers appeared to bear evidence of ſome retroſpective intention, he deſired to be apprized what that was. He conceded the right of the Houſe to paſs the reſolution, but they could not do it without good cauſe. He did not accuſe the gentleman who made the motion, of making it without good cauſe, but was anxious to know what he would do with them Was it intended to aſcertain, he aſked, whether a better Treaty might be made? He concluded by obſerving, that the queſtion was of conſequence, and by reminding the Houſe, that they acted for a great people and for poſterity.

Mr. Livingſton ſaid he had no wiſh to conceal his intentions. The motives that impelled him to make the motion, were not ſuch as to make him wiſh to conceal them, or ſuch as he ought to bluſh at when diſcovered. The gentleman from Connecticut wiſhed to know why he had brought this reſolution before the Houſe? He did it for the ſake of information. That gentleman wiſhed to know to what point this information was to apply? Poſſibly to all the points he had enumerated. It was impoſſible, however, to ſay to which or how many of theſe points, without a recurrence to thoſe very papers. He could not determine now, he ſaid, that an impeachment would be deemed adviſeable; yet when the papers are obtained, they may make ſuch a ſtep adviſeable. It was impoſſible to declare an impeachment adviſeable, without having the neceſſary lights as to the conduct of officers. The Houſe were, on every occaſion, the guardians of their countries rights; they are, by the Conſtitution, the accuſing organ of the officers employed; the information called for, they ought to poſſeſs, as it would tend to elucidate the conduct of the officers. He believed, the Houſe had beſides a diſcretionary power to carry into execution the Treaty or not. To guide them in an enlightened determination as to that point, the papers are neceſſary; they would certainly throw light upon the ſubject, and enable the Houſe to determine whether the Treaty was ſuch as that it ought to be carried into effect. This had been called a delicate queſtion. He did not view it in that light; the Houſe had a right to call for the information: if the Preſident had any reaſons of ſtate, that would make the information improper, he would ſay ſo.

Mr. Buck then roſe and declared himſelf againſt the reſolution: not becauſe he ſuppoſed the papers called for could produce any unfavourable impreſſion, not from fear that the Executive would refuſe them; but he was oppoſed to it from principle. They could only be called for to gratify curioſity or reſentment. To take a clear view of the queſtion, it was neceſſary to conſider the preſent ſituation of the Treaty alluded to. That inſtrument had been negotiated under the ſanction of the Preſident, it had been aſſented to by the Senate, ratified by the two contracting parties, the ratifications exchanged, promulgated and communicated to the Houſe by the Preſident, who had iſſued his proclamation enjoining on all the ſubjects of the United States obedience to it. If the proclamation had been that of Geo. Waſhington as a private individual it would excited ridicule; if it had been that of a prince or a deſpot it would have given riſe to contempt; if the proclamation of the Preſident of the United States acting without authority—then indignation; but if it was the voice of the great body of the great body of the people, through him as their executive organ, it would be treaſon to diſobey. What, he aſked, had we contended with Great-Britain for, in the laſt war—for what purpoſe ſacrifiſed thouſands of our citizens—for what purpoſe had many honourable members, now within the walls of Congreſs ſtemmed the rage of wa To caſt off the oppreſſive authority a nation attempting to aſſume to dict laws to us, and to gain to ourſel the important right of ſelf govern me All muſt agree in this principle. C ſucceſs was equal to our wiſhes and gained the glorious prize, and in t the American people, ſenſible of impoſſibility of governing their af without a form of government, aſſe bled by their repreſentatives and e bliſhed the preſent conſtitution, which they wiſely ſeparated the th great powers of government and pl ed them in different departments, e in its proper ſphere to be the organ the people's will. As long as this wi ly organized government was preſer ed, ſo long ſhall we enjoy the gr conſideratum, a reign of laws and of men. If it be deviated from, if a department of government aſſum power not given, there deſpotiſm b gins. The Conſtitution he conſider as the expreſſion of the will of t people, and then proceeded to conſi what power the inſtrument gives to t Executive. He quoted the Conſti tion under that head. From it he d duced that the Preſident had the ſ power of originating Treaties, the S nate to approve them, and that if the powers had been exerciſed within t bounds of the Conſtitution, what h been done in purſuance muſt be t ſupreme law of the land; and if it was rebellion to deviate from What then, he aſked, had the Ho to do with the papers which the reſo tion called for? To determine t conſtitutionality of the Treaty, ſhould be compared with the Conſti tion without reference to any paper theſe papers could only be uſeful inveſtigating the merits of the Trea and in what part of the Conſtitutio he aſked, did the Houſe find a ſyllab granting them authority to enter in ſuch an inveſtigation.

If the power to inſtitute this inve tigation is not to be found in the Co ſtitution, where ſhall it be looked fo Are the Houſe to conſider the oppo tion as the expreſſion of the will of t people, and muſt they make the er ry becauſe ſolicited by a few diſco tented perſons ſtimulated by ambi ous men? If this is a proper princip the numbers of theſe diſcontented pe ſons muſt firſt be diſcovered, to kno whether they are the majority or m nority of the people. Is the idea their numbers to be taken from pub cations in inflamatory newſpapers; from the ſignatures to the anti-trea petitions upon the table? Theſe ſig ers did not compoſe one thouſand part of the nation.

He then adverted to the reſolutio of the Bennington Convention on t ſubject of the Treaty, which had be tranſmitted to the Vermont repreſe tatives by way of inſtruction. Th only went to the unconſtitutionality the Treaty, and do not even furni an expectation that the Houſe can co ſider its merits. This was alſo, he a his opinion.

He wiſhed ever to oppoſe every uſurpation of the powers delegated the Conſtitution, for if once an e croachment is ſuffered, the will of t people as expreſſed in the Conſtitut is no longer the guide, there can no ſtop put to the uſurpation. If t Houſe arrogate the power of call for papers lodged in the ſacred dep of confidential communication with ther foreign nations, why not deci the Treaty inexpedient, and refuſe

ly aid to carry it into effect. If the take that ground, is it to be expected ident will ever negociate another? ill leave it to the Houſe to negociate. even further, in the road of uſurpation, not the Houſe declare, as there may popular clamour againſt the appoint- of the Judiciary, that the Preſident is g, and take the appointment into their hands. He reminded the Houſe, that were only repreſentatives of the people certain purpoſes, they might arrogate to ſelves in all caſes as well as the preſent wer paramount to the Preſident's, de- themſelves better judges than the Preſi- , ſay that they ſhould adjourn or not, de- their ſittings perpetual, and graſp at all ers, legiſlative, judicial and executive, ſtitute themſelves accuſers, judges and utioners of the ſubjects of America. ppoſing for a moment that the Conſti- on had veſted in the Houſe the powers given to the Preſident, and had granted he Preſident, thoſe belonging to the ſe, ſuppoſe then that the Houſe had ne- ated this Treaty, and by a Proclamation ined its obſervance on all the ſubjects of erica, and then ſent it to the Preſident to e laws to carry it into full effect, and poſe the Preſident, inſtead of this ſhould for the papers now intended to be aſked of him, we ſhould be as much ſurprized when the contagious breath of Randall iled our virtue. The inſolence of the ſident would be re-echoed far and wide, be wafted to foreign climes. We ſhould that he was aſſuming powers, that he aiming at arbitrary power, that he was eavouring to ſet himſelf up as a deſpot; ſhould go farther and ſay, that as the nſtitution expreſsly gave us the power to e Treaties, we muſt of courſe have the eſſary concomitant power, of doing every ng neceſſary to carry them into effect; t as the Conſtitution made us judges in ſe matters, the Preſident could not ſet up judgment in oppoſition, without impli- ing that we had violated our oath. All s would be laid on ſolid ground, as it uld have been the will of the people that poſſeſſed the treaty making power. If eſe would be the feelings and ſentiments the Houſe in that ſuppoſed caſe, what uld thoſe of the Preſident be as the mat- now ſtands?

He concluded by declaring his ſenſe of importance of the queſtion. He con- ved it was now at iſſue to determine whe- er a free people were capable of ſelf go- rnment. If the experiment ſhould fail here muſt hold out but poor encouragement thoſe nations now ſtruggling for a free vernment. If it failed now, men muſt be ntented to live in a ſtate of anarchy, or un- r a deſpotiſm. In this point of view he the ſubject, and under this conviction, he deviated from the principles he had en- avoured to lay down, the blood he had ilt in the cauſe of freedom and his mutilat- frame would reproach him. [Mr. Buck t an arm in the late war.]

Mr. Gallatin ſaid no member had a higher inion than himſelf of the talents and pa- tiotiſm of the member from Vermont, but he uld not help expreſſing his aſtoniſhment at hat had dropt from that gentleman.— rom what he had ſaid no one could have agined that the motion before the Houſe as merely a call for papers, but would ave ſuppoſed that it was in contemplation diſorganize the government, and to erect he Houſe into a National Convention. It as too much to be feared, that on a diſ- ſion of the Treatry the alarm would be ounded; we are ſcarcely on the threſhold, nd the cry of confuſion and anarchy is al- eady raiſed.

He little expected to hear this in a debate n the preſent motion, which involved no onſtitutional queſtion. If he thought the onſtitutionality of the Treaty could on this queſtion with propriety be brought into iew, he ſhould have adviſed the mover to withdraw it, for when that is to be diſcuſſ- d, he wiſhed it done in a direct way. What, he aſked, is the ſtate of the preſent queſtion. The Preſident tells the Houſe that he has concluded a Treaty, and lays it before them; t is referred to a committee of the whole on the ſtate of the Union for ſome purpoſe. What ſhape the diſcuſſion may take in that committee, cannot now be decided; but whatever ſhape it may take, information will be neceſſary, and that is the ſole object of the preſent reſolution.

When the conſtitutionality of the Treaty come to be conſidered, it appeared to him that it might be done on one of theſe two grounds, viz. whether the Houſe had an a- gency in carrying it into effect, and whe- ther it ſhould be made the foundation of a declaratory act. There might be other grounds, but on either the information called for would be uſeful, and would ſhew the grounds on which the Treaty was adopted. It had been allowed that the Treaty had excited much diſcontent, but it was ſuppoſed the Preſident and Senate were the beſt judges becauſe they poſſeſſed the beſt information; to render this information public, muſt then anſwer a valuable purpoſe. The exception annexed to the reſolution rendered it in his mind totally unexceptionable. The motion does not lay claim to the ſecrets of the Exe- cutive, but only aſks. If the Preſident thinks proper not to give the information he will tell the Houſe ſo; then a queſtion may ariſe whether they ſhall get at thoſe ſecrets whe- ther he will or no; but that is not the queſ- tion now.

In another view information would be of uſe; it would enable the Houſe to form a juſt opinion of the meaning of any doubtful article of the Treaty. A member had ex- preſſed the opinion that the Houſe had no diſcretionary power relative to the Treaty; this was taking for granted what remained to be proved; this would be a point to be diſcuſſed.

Mr. Murray explained, that what he aſ- ſerted was, that if the Treaty was the ſu- preme law of the law of the land, then there was no diſcretionary power in the Houſe, except on the queſtion of its conſtitutionali- ty.

Mr. Gallatin ſaid he ſhould not now enter into the merits of the queſtion; but merely ſtate that certain powers are delegated by the conſtitution to Congreſs; they poſſeſs the authority of regulating trade, the treaty making power delegated to the Executive may be conſidered as involving that: this clashing muſt be reconciled, diſputes will ariſe about the proper conſtruction. He ſhould not decide, that the deliberation would take this turn; it might take another: The queſtion may ariſe, whether a Treaty made by the Preſident and Senate, containing regulations touching objects delegated to Congreſs, can be conſidered binding without Congreſs, paſſing laws to carry it into effect. But he again ſaid, the preſent motion in- volves no conſtitutional queſtion. All thoſe queſtions would occur in future diſcuſſions: what is now wanted is information on the ſubject to elucidate the different views which may be taken of the Treaty; it muſt be good to obtain it and could do no harm to aſk for it. If it would be improper to communicate any part of the information on the ſubject, the preſident will ſay ſo. He hoped, he ſaid, that the reſolution would have paſſed with- out objection. He concluded by obſerving that the Houſe was the grand inqueſt of the nation, and that they had a right to call for papers on which to ground an impeach- ment, but he believed that if this was in- tended, it would be neceſſary that the reſo- lution ſhould be expreſsly predicated upon a declaration of that intention. At preſent he did not contemplate the exerciſe of that right.

Mr. Gilbert was oppoſed to the reſoluti- on. He had heard no ſatisfactory reaſon given why the information ſhould be aſked for. He conſidered it as an attempt to en- croach on the powers of the Executive De- partment. He inſiſted on the neceſſity of ſecrecy as long as there are deſpotic govern- ments to be negociated with. If the Preſi- dent was to refuſe the information, in which he conceived he would be juſtified, it might create diſcontents and heat burnings. He was againſt the reſolution as unconſtitutional, unprecedented, inexpedient, improper, and dangerous to the peace and proſperity of the government.

Mr. Madiſon admitted that every propoſi- tion however diſtantly related to a queſtion on the Treaty, drew from the importance of that ſubject conſiderable importance to it- ſelf. In a diſcuſſion of this ſubject, he felt ſtrongly the obligation of proceeding with the utmoſt reſpect to decorum, delicacy to the other departments of government, and at the ſame time fidelity and reſpect for his conſtituents. The propoſition now before the Houſe, he conceived, might be conſider- ed as cloſely connected with this important queſtion: Whether the general power of making Treaties ſupercedes the powers of the Houſe of Repreſentatives particularly ſpecified in the Conſtitution, ſo as to take to the Executive all deliberative will, and leave the Houſe only an inſtrumental agency; he was not ſatisfied whether it was expedient at this time to go into a conſideration of this very important queſtion. If Gentlemen were not diſpoſed to preſs it, he would at- tempt to throw the reſolution into ſuch form as not to bear even the appearance of en- croaching on the conſtitutional rights of the Executive. The reſolution in the form in which it was firſt preſented, was liable to objection. The mover had removed that objection, by adding an exception to it. He wiſhed to ſubmit, whether the reſolution would not be further improved by introduc- ing the following words in lieu of thoſe pro- poſed in addition by the member from New- York: "Except ſo much of ſaid papers as in his judgment it may not be conſiſtent with the intereſt of the United States at this time to diſcloſe." He moved thoſe words as an amendment, after ſtriking out thoſe brought forward by the Gentleman from New-York.

Mr. Sedgwick conceived the buſineſs aſ- ſumed a new aſpect. The ſubject was im- portant; he wiſhed to deliberate on it at- tentively, and hoped time would be given him to make up his mind.

Adjourned.

NOTICE.

ALL *perſons indebted to the eſtate of* JOHN ORMSBY, *jun. deceaſed, are requeſted to make immediate payment, and thoſe who have any demands againſt ſaid eſtate, are deſired to bring them properly atteſted to*

O. ORMSBY, *Adminiſtrator.*

Pittſburgh, Pennſylvania, 1796.

ALGERINE TREATY.

GEORGE WASHINGTON,

PRESIDENT OF THE UNITED STATES OF AMERICA.

To all to whom theſe Preſents ſhall come—Greeting:

Whereas a Treaty of Peace and Amity has been concluded in the manner hereinaf- ter mentioned, by the Plenipotentiary of the United States of America, and the Dey and Regency of Algiers; which Treaty, written in the Arabic language, being tranſ- lated into the language of the United States, is in the words following, viz:

"A Treaty of Peace and Amity concluded this preſent day Iamil Artafi, the twenty- firſt of the Lunar Safer year of the Hegira 1210, correſponding with Saturday the fifth of September, one thouſand ſeven hundred and ninety five, between Haſſan Baſhaw, Dey of Algiers, his Divan and ſubjects, and George Waſhington, Preſi- dent of the United States of North Ame- rica, and the citizens of the ſaid United States:

Article 1ſt. FROM the date of the preſent treaty, there ſhall ſubſiſt a firm and ſincere peace and amity between the Preſident and citizens of the United States of North America, and Haſſan Ba- ſhaw, Dey of Algiers, his Divan and ſubjects; the veſſels and ſubjects of both nations re- ciprocally treating each other with civility, honor and reſpect.

Art. 2d. All veſſels belonging to the citi- zens of the United States of North America, ſhall be permitted to enter the different ports of the regency, to trade with our ſubjects, or any other perſons reſiding within our juriſdiction, on paying the uſual duties at our cuſtom houſe that is paid by all nations at peace with this regency; obſerving that all goods diſembarked and not ſold here ſhall be permitted to be reimbarked without pay- ing any duty whatever, either for diſem- barking or embarking. All naval and mili- tary ſtores, ſuch as gun powder, lead, iron, plank, ſulphur, timber for building, tar, pitch, roſin, turpentine, and any other goods denominated naval and military ſtores, ſhall be permitted to be ſold in this regency with- out paying any duties whatever at the cuſtom houſe of this regency.

Art. 3d. The veſſels of both nations ſhall paſs each other without any impediment or moleſtation; and all goods, monies or paſ- ſengers, of whatſoever nation, that may be on board of the veſſels belonging to either party, ſhall be conſidered as inviolable, and ſhall be allowed to paſs unmoleſted.

Art. 4th. All ſhips of war belonging to this regency, on meeting with merchant veſ- ſels belonging to the citizens of the United States, ſhall be allowed to viſit them with two perſons only beſide the rowers; theſe two being only permitted to go on board ſaid veſſel, without obtaining expreſs leave from the commander of ſaid veſſel, who ſhall compare the paſſport, and immediately per- mit ſaid veſſel to proceed on her voyage un- moleſted. All ſhips of war belonging to the United States of North America, on meeting with an Algerine cruiſer, and ſhall have ſeen her paſſport and certificate from the conſul of the United States of North America, reſi- dent in this regency, ſhall be permitted to proceed on her cruiſe unmoleſted: no paſſ- port to be iſſued to any ſhips but ſuch as are abſolutely the property of citizens of the U. States; and eighteen months ſhall be the term allowed for furniſhing the ſhips of the United States with paſſports.

Art. 5th. No commander of any cruiſer belonging to this regency, ſhall be allowed to take any perſon, of whatever nation or denominaton, out of any veſſel belonging to the United States of North America, in or- der to examine them, or under pretence of making them confeſs any thing deſired; neither ſhall they inflict any corporal puniſh- ment, or any way elſe moleſt them.

Art. 6th. If any veſſel belonging to the U. States of North America, ſhall be ſtranded on the coaſt of this regency, they ſhall re- ceive every poſſible aſſiſtance from the ſub- jects of this regency: all goods ſaved from the wreck ſhall be permitted to be reimbark- ed on board of any other veſſel, without paying any duties of the cuſtom houſe.

Art. 7th. The Algerines are not, on any pretence whatever, to give or ſell any veſſel of war to any nation at war with the United States of North America, or any veſſel ca- pable of cruiſing to the detriment of the com- merce of the United States.

Art. 8th. Any citizen of the United States of North America, having bought any prize condemned by the Algerines, ſhall not be again captured by the cruiſers of the regency then at ſea, although they have not a paſſ- port; a certificate from the conſul reſident being deemed ſufficient, until ſuch time they can procure ſuch paſſport.

Art. 9th. If any of the Barbary ſtates at war with the United States of North Ame- rica, ſhall capture any American veſſel and bring her into any of the ports of this regen- cy, they ſhall not be permitted to ſell her but ſhall depart the port on procuring the requiſite ſupplies of proviſions.

Art. 10th. Any veſſel belonging to the U. S. of North America, when at war with any other nation, ſhall be allowed to enter their ports and have leave to diſpoſe of their prizes into the ports of this regency, paying any duties on the ſale thereof; and veſſels wanting proviſions or refreſhments ſhall be permitted to buy them at the cuſtom price.

Art. 11th. All ſhips of war belonging to the U. S. of North America, on entering in the ports of the Regency, ſhall be ſupplied the uſual preſents of proviſions and refreſh- ments; gratis. Should any of the ſhips of this Regency make their eſcape into the ſaid veſſels, they ſhall be immediately re- turned; no excuſe ſhall be made that they have hid themſelves amongſt the people and cannot be found, or any other equivocation.

Art. 12th. No citizen of the U. S. of North America, ſhall be obliged to redeem any ſlave againſt his will, even though he be his brother; neither ſhall the owner of a ſlave be forced to ſell him againſt his will, but all ſuch agreements muſt be made by the conſent of parties. Should any American ci- tizen be taken on board an enemy's ſhip by the cruiſers of this Regency, having a regu- lar paſſport, ſpecifying they are citizens of the United States, they ſhall be immedate- ly ſet at liberty: On the contrary, if hav- ing no paſſport, they and their property ſhall be conſidered lawful prize; as this Regency know their friends by their paſſports.

Art. 13th. Should any of the citizens of the U. S. of North America, die within the limits of this Regency, the Dey and his ſub- jects ſhall not interfere with the property of the deceaſed; but it ſhall be under the immediate direction of the conſul; unleſs o- therwiſe diſpoſed of by will. Should there be no conſul, the effects ſhall be depoſited in the hands of ſome perſon worthy of truſt, until the party ſhall appear who has a right to demand them; when they ſhall render an account of the property. Neither ſhall the Dey or Divan give hindrance in the exe- cution of any will that may appear.

Art. 14th. No citizen of the U. S. of North America ſhall be obliged to purchaſe any goods againſt his will; but on the con- trary, ſhall be alſo allowed to purchaſe what- ever it pleaſeth him. The conſul of the United States of North America, or any o- ther citizen, ſhall not be amenable for debts contracted by any one of their own nation; unleſs previouſly they have given a written obligation ſo to do. Should the Dey want to freight any veſſel that may be in the Re- gency or Turkey, ſaid veſſel not being en- gaged; in conſequence of the friendſhip ſub- ſiſting between the two nations, he expects to have the preference given him on his pay- ing the ſame freight offered by any other nation.

Art. 15th. Any diſputes or ſuits at law, that may take place between the ſubjects of the Regency and the citizens of the U. S. of North America, ſhall be decided by the Dey in perſon, and no other. Any diſputes that may ariſe between the citizens of the U. S. ſhall be decided by the conſul; as they are in ſuch caſes not ſubject to the laws of this Regency.

Art. 16th. Should any citizen of the U. S. of North America, kill, wound or ſtrike a ſubject of this Regency, he ſhall be puniſh- ed in the ſame manner as a Turk, and not with more ſeverity. Should any citizen of the United States of North America, in the above predicament, eſcape priſon the conſul ſhall not become anſwerable for him.

Art 17. The conſul of the United States of North America, ſhall have every perſonal ſecurity given him and his houſehold: He ſhall have liberty to exerciſe his religion in his own houſe. All ſlaves of the ſame reli- gion ſhall not be impeded in going to ſaid conſul's houſe at hours of prayer. The con- ſul ſhall have liberty and perſonal ſecurity given to him to travel whenever he pleaſes within the Regency: He ſhall have free li- cenſe to go on board any veſſel lying in our roads, whenever he ſhall think fit. The conſul ſhall have leave to appoint his own Drogaman and Broker.

Art. 18th. Should a war break out be- tween the two nations, the conſul of the U- nited States of North America, and all citi- zens of ſaid ſtates, ſhall have leave to embark themſelves and property unmoleſted, on board of what veſſel and veſſels they ſhall think proper.

Art. 19th. Should the cruiſers of Algiers capture any veſſel, having citizens of the United States of North America on board, they having papers to prove they are really ſo, they and their property ſhall be im- mediately diſcharged. And ſhould the veſſels of the United States capture any veſſels of nations at war with them, having ſubjects of this Regency on board, they ſhall be treated in like manner.

Art. 20th. On a veſſel of war belonging to the United States of North America an- choring in our ports, the conſul is to inform the Dey of their arrival; and ſhe ſhall be ſa- luted with twenty-one guns; which ſhe is to return in the ſame quantity or number. And the Dey will ſend freſh proviſions on board, as is cuſtomary, gratis.

Art. 21ſt. The conſul of the United States of North America, ſhall not be requir- ed to pay duty for any things from a foreign country for the uſe of his houſe and family.

Art. 22d. Should any diſturbance take place between the citizens of the United States and the ſubjects of this Regency, or break any article of this Treaty, war ſhall not be declared immediately; but every